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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Van De Mark et al.
Serial No. 09/532,839
Filed March 21, 2000
Confirmation No. 7157

Art Unit 1714

For WATER BORNE FILM-FORMING COMPOSITIONS
Examiner Edward J. Cain

July 29, 2005

INTERVIEW SUMMARY

Telephonic Interview Details

Participants: Primary Patent Examiner Edward J. Cain
Edward J. Hejlek, Anthony R. Kinney, Attorneys for Applicants
Thomas R. Sharpe, Ph.D., Representative for Assignee

Date of Interview: July 27, 2005

Identification of prior art discussed: U.S. Patent No. 6,726,798 (Boege et al.)

Agreement with respect to the claims: was not reached

Substance of Interview

During the interview, applicants' counsel highlighted certain features distinguishing Boege et al., the reference cited by the Examiner in the Office action mailed February 10, 2005, and the invention defined by the pending claims. Among other things, the pending claims require that air oxidation of the required coalescent aid leads to an increase in the glass transition temperature of a film formed from the claimed film-forming composition. This feature is significant, in that, when it is applied to a surface, the composition will flow, thereby covering the surface and cracks, holes, etc. present on the surface, and when it cures, the glass transition temperature increases, thereby causing the film to harden.¹

For use in their compositions, Boege et al. disclose fatty acids and derivatives thereof, such as esters, as plasticizers. Boege et al. identify a long list of fatty acids (Boege et al. at column 3, lines 21 - 54) and a long list of esters of these fatty acids (Boege et al. at column 4, lines 5 - 26). According to Boege et al., however, when

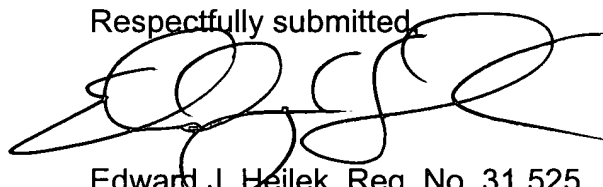
¹ See application, page 10, lines 3-9.

incorporated in a composition, the plasticizers cause a **permanent** reduction of the composition's glass transition temperature.² Thus, Boege et al. teach away from the compositions defined by the pending claims.

The differences between the claimed invention and the compositions disclosed by Boege et al. are explained in greater detail in the amendment filed June 6, 2005 that is referenced in the Request for Continuing Examination filed July 11, 2005.

The Examiner's courtesy in conducting the telephone interview is appreciated. If any further questions are raised during the examination of the application, the Examiner is invited to call applicants' counsel to further expedite prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'EJH', is written over the words 'Respectfully submitted,'.

Edward J. Hejlek, Reg. No. 31,525
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

EJH/ARK/leb

Express Mail No. EV 455485185 US

² Boege et al., U.S. Pat. No. 6,726,798, col. 6, lines 57-67.